



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. CR 08-848 RHW-2
11 Plaintiff,) ORDER OF REVOCATION/DETENTION
12 v.) IN BAIL REVOCATION/DETENTION
13 Lyndon Martin Baptist) PROCEEDINGS
14 Defendant.) (18 U.S.C. § 3148(b))
15

16 Upon motion of the Government to detain defendant in connection
17 with bail revocation/detention proceedings pursuant to 18 U.S.C.
18 § 3148(b):

19 A. The Court finds:

- 20 there is probable cause to believe that defendant has
21 committed a federal, state, or local crime while on
22 release;
23 there is clear and convincing evidence that defendant
24 has violated another condition of release;

25 B. The Court further finds:

- 26 no condition or combination of conditions will
27 reasonably assure the appearance of defendant as
28 required;

- 1 () no condition or combination of conditions will
2 reasonably assure the safety of any other person and
3 the community;
4 () defendant is unlikely to abide by any condition or
5 combination of conditions of release.

6 C. The Court has considered:

- 7 (✓) the nature and circumstances of the offense(s) charged;
8 (✓) the weight of the evidence against defendant;
9 (✓) the history and characteristics of defendant;
10 (✓) the nature and seriousness of the danger to any person
11 or the community that would be posed by defendant's
12 release.

13 D. The Court concludes:

- 14 () Defendant poses a risk to the safety of other persons
15 and the community based on: _____
16
17
18

19 (✓) Defendant poses a serious flight risk based on: _____
20 failure to self-surrender as ordered by court
21

23 (✓) Defendant is unlikely to abide by any condition or
24 combination of conditions of release based on:
25 failure to appear as ordered by court
26

1 E. The Government () is () is not entitled to a rebuttable
2 presumption that no condition or combination of conditions
3 will assure that defendant will not pose a danger to the
4 safety of any person or the community.

5 F. The Court finds:

6 () Defendant has not rebutted by sufficient evidence to
7 the contrary the presumption provided in 18 U.S.C.
8 § 3148(b) that no condition or combination of
9 conditions will assure the safety of any other person
10 or the community;

11 IT IS ORDERED that defendant is detained and remanded to the
12 custody of the U.S. Marshal.

13 If defendant is awaiting trial, IT IS FURTHER ORDERED that
14 defendant be confined in a corrections facility separate, to the
15 extent practicable, from persons awaiting or serving sentences or
16 persons held in custody pending appeal.

17 IT IS FURTHER ORDERED that defendant be afforded reasonable
18 opportunity for private consultation with defendant's counsel.

19 DATED: 2/12/10



HONORABLE JACQUELINE CHOOIJIAN
United States Magistrate Judge